

Amendment
Serial No. 10/619,694

Docket 5000-1-335

REMARKS

Reconsideration of all grounds of rejection in the Office Action based upon the following amendments, and allowance of all of the pending claims are respectfully requested in light of the following remarks.

Claims 1-4 are rejected. Claims 1 and 4 has been amended. Claims 1 and 4 are independent claims. Claims 1-4 are pending.

Claim 4 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, applicants believe that claim 4, as currently presented is definite and there is pervasive support throughout the disclosure for the previous amendment to the claim. For example, on page 4, lines 15 to 19, the number of nodes N is calculated where the number is even or odd based upon the a given integer number N.

Therefore, applicants request withdrawal of this ground of rejection.

Claims 1-4 stand rejected under 35 USC § 101 because the claimed invention is directed to a 35 USC 101 judicial exception.

In response, applicants have amended both base claims to reflect the fact that the preceding steps provides a new path between the N number of nodes when a failure occurs in any one node of WDM ring communication network. Accordingly, the claims now transform an article or physical object (matrix) to a different stage or thing (dynamic route paths in the event of a failure in a any node))or otherwise produce a useful, concrete and tangible result (a WDM ring communication network operating based upon a matrix algorithm).

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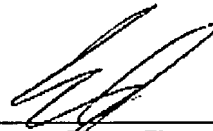
Therefore, applicants respectfully request withdrawal of this ground of rejection.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited reference. A notice of Allowance is respectfully requested.

Should the Examiner deem that there are any issues, which may be best, resolved by telephone communication, please contact Applicant's undersigned Attorney at the number listed below.

Respectfully submitted,



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